

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JAMES AND PATRICIA OLSON

COMPLAINANTS

VS.

SOUTH WOODFORD WATER DISTRICT

DEFENDANT

CASE NO. 95-435

O R D E R

On September 25, 1995, James and Patricia Olson ("Olsons") filed a complaint with the Commission alleging that South Woodford County Water District ("South Woodford") violated Commission Regulation 807 KAR 5:066 by failing to reimburse them for connections to their extension.

Sections 11(2)(b)(2) and (11)((2)(b)(3) of 807 KAR 5:066 state that each customer who pays for an extension to a utility's main shall be reimbursed when additional customers connect their service lines directly to the extension installed and not to extensions or laterals therefrom.

On October 23, 1995, South Woodford filed its Answer to the Olsons' Complaint and on December 28, 1995, it filed additional information. In its responses, South Woodford alleges that the regulation exempts from its reimbursement plans the connections that South Woodford allowed: the direct connection of a lateral and another extension to the Olsons' line. South Woodford contends that the connections are exempt because the service lines for them are not directly connected to the Olsons' extension; they are directly connected to a lateral and an extension of the Olsons' line.

On April 22, 1996, the Commission scheduled an informal conference and cancelled the hearing scheduled for April 26, 1996. In its Order, the Commission stated that the hearing would be rescheduled at a later date if necessary.

During the conference, held on April 26, 1996, the difference between the types of connections was discussed and the Olsons were asked, inter alia, whether they agreed with South Woodford's position that no one has connected "service lines" to their extension. The Olsons neither agreed nor disagreed.

At the end of the conference, the Olsons' attorney stated that he would advise the Commission how his clients wished to proceed. To date, however, the Olsons have not filed any additional information.

The Commission, having reviewed the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. The Olsons shall file with the Commission, on or before June 28, 1996, any information showing that the service lines for the connections that are the subject matter of this proceeding are directly connected to the Olsons' extension and are not connected to a lateral or an extension of the Olsons' extension.
2. If no information is received by the Commission on or before June 28, 1996, this case shall be submitted to the Commission for a final decision.

Done at Frankfort, Kentucky, this 20th day of June, 1996.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission